CRP 18/2006
BEFORE
The revision petitioner / defendant having suffered from an ejectment decree and for arrears of rent in respect of the suit premises has approached this Court by filing this revision under section 115, CPC.

2. I have heard Mr SP Roy, learned senior counsel for the petitioner and Mr AM Mazumdar, learned senior counsel for the plaintiff / rrespondent.

3. The petitioner is a monthly tenant in respect of the suit premises which is a room measuring 6 ft x 28 ft situated at HP Road, Kamarpatty, Fancy Bazar, Guwahati-1, Holding No 43, Ward No XXX A of Gauhati Municipal Corporation, fully described in the Schedule to the plaint. The initial monthly rent fixed for the suit premises was Rs. 1611.00 which was subsequently enhanced to Rs. 3,000.00 per month. Alleging default in payment of monthly rent since the month of August, 2003 and for bonafide requirement of the suit premises for use and occupation of the same by the son of the plaintiff for his business, the Title Suit No 34/2004 was instituted by the plaintiff landlord before the Civil Judge (Sr Division) No 1, Guwahati, praying for a decree for ejectment of the defendant / petitioner and for recovery of the arrears of rent from the month of August, 2003. The defendant / petitioner contested the suit by filing written statements denying the allegation of defaulter in payment of monthly rent. At paragraph- 10 of the written statements, it is admitted that pursuant to an agreement dated 1.1.83, the defendant / petitioner took the suit premises on rent from the plaintiff as monthly tenant wherein he has been running his business under the name and style \ M/s Thimpa Hardware\ vvvvvvv